S.B.Cr.Misc. Bail App. No.4278/2007

(Kalu vs. State of Rajasthan)

Date of order : September 03, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Ramesh Purohit, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers. I have carefully gone through the statements of the prosecution witnesses recorded by the trial court.

The only eye-witness to the occurrence is Seema, daughter of the deceased, who has been examined as PW.7. She has not supported the prosecution case and turned hostile.

Learned counsel for the petitioner submits that there is no specific allegation against the present petitioner.

I have carefully gone through the statement of PW.7. She did not support the prosecution case and turned hostile.

Having considered the totality of facts and circumstances

of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Kalu s/o Moti Meena be released on bail in FIR No.71/2007, P.S. Deogarh provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-